

Appl. No. 10/692,613
Amendment After Final Rejection dated October 7, 2005
Reply to final Office action of September 9, 2005
Attorney Docket K-2043

REMARKS/ARGUMENTS

Claims 17-45 are pending in the application. By this Amendment, Claims 1 and 3-16 are canceled, and Claims 17-45 are added. Favorable reconsideration of the application is respectfully requested.

Entry of this Amendment is proper under 37 CFR §1.116 because this Amendment (a) places the application in condition for allowance (for the reasons discussed herein); (b) does not raise any new issue requiring further search and/or consideration because the amendments amplify issues previously discussed throughout prosecution; (c) does not add claims without deleting a corresponding number of claims; and (d) places the application in better form for appeal, should an appeal be necessary. This Amendment is necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. Entry of this Amendment is thus respectfully requested.

The Office action rejects Claims 1 and 3-16 under 35 U.S.C. 102(b) as over Koelewijn (U.S. Patent No. 4,681,485, hereinafter "Koelewijn"). The rejection is respectfully traversed.

By this Amendment, Claims 1 and 3-16 are canceled, thereby rendering the rejection moot.

New independent Claim 17 specifies, *inter alia*, a rotary cutting tool wherein a difference in radial dimension as measured from the rotational axis of the cutting tool between a tapered cutting edge at a centerline of a first cutting insert and one of the first and second corners of a second cutting insert define a radial runout compensation dimension that is greater than a predetermined manufacturing tolerance of the rotary cutting tool, thereby minimizing radial runout when the cutting tool is rotated about the rotational axis.

New independent Claim 27 specifies, *inter alia*, a rotary cutting tool wherein a tapered cutting edge of a first cutting insert and the first and second corners of a second cutting insert define a deviation dimension such that a maximum outward radial displacement of the first and second corners of the second insert from the rotational axis is less than a magnitude of a predetermined manufacturing tolerance, thereby minimizing radial runout when the rotary cutting tool is rotated about the rotational axis.

New independent Claim 37 specifies, *inter alia*, a rotary cutting tool wherein first and second tapered sections of each cutting insert is configured to provide a depth of cut that does

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not exceed a magnitude of a predetermined manufacturing tolerance, thereby minimizing radial runout when the rotary cutting tool is rotated about the rotational axis. Thus, new independent Claims 17, 27 and 37 are directed to a rotary cutting tool that minimizes radial runout when the rotary cutting tool is rotated about its rotational axis. *See Fig. 2.*

On the other hand, Koelewijn is directed to improving cutting action and decreasing wear (*Col. 1, lines 19-30; Col. 2, lines 9-12; and Col. 2, lines 25-34*), and not to minimizing radial runout when the cutting tool is rotated about its rotational axis. Thus, there is no mention in Koelewijn of minimizing radial runout, and the rejection is misplaced.

For at least this reason, Claims 17, 27 and 37 are allowable over the applied art, taken singly or in combination. Claims 18-26, which depend from Claim 17, Claims 28-36, which depend from Claim 27, and Claims 38-45, which depend from Claim 37, are likewise allowable over the applied art, taken singly or in combination.

In view of the foregoing, Applicant respectfully submits that the application is in condition for allowance. Favorable consideration and prompt allowance of the application is earnestly solicited.

Should Examiner Addisu believe anything further would be desirable in order to place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

It is believed that any additional fees due with respect to this paper have already been identified. However, if any additional fees are required in connection with the filing of this paper, permission is given to charge account number 50-3145 in the name of Honigman Miller Schwartz and Cohn LLP.

Respectfully submitted,

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By 

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